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International Court of Justice

Com. A.
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21 June, 1946.
Von Rundstedt.

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4, OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

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21 June 1946

(THE COMMISSION CONVENED AT 1000 HOURS.)

COMMISSIONER:

Capt. Joseph Tubridy.

O.K.W.

FIELD MARSHAL VON RUNDSTEDT, the witness, took the stand and testified as follows:

CROSS EXAMINATION - Resumed.

CAPTAIN TUBRIDY: The witness is reminded that he is still under oath.

WITNESS: Yes.

BY M. QUATRE:

Q Marshall, could you tell us very shortly in what family atmosphere or family circle you have been raised?

A My family is a very old one, whose background can be traced as far back as eight hundred years. All my ancestors, as far back as my great grandfather, have been soldiers. My father was a retired general and my three brothers and I became recruits and later on became soldiers. We were a poor family and had to fight for our existance during the first years of our officership. We were raised in the old Prussian tradition. Those are about the main points.

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Q During the eastern campaign in 1942, were you not at one time removed from your command?

A On December 1, 1941, I was removed from my post upon my request to the Fuehrer, supposedly because he did not have any confidence in my leadership.

Q In other words, you were retired of were removed from your command upon your own wish?

A At that time I had requested that a certain tactical order, which in my opinion was impossible, would be rescinded. If this would not be done, I suppose I considered that no confidence was expressed in my leadership, therefore, I would like to be retired and another man be given my post. This was at the time that the campaign - the Italian Military Campaign - still looked good for Germany.

Q How long after that were you recalled?

A On the 12th or 13th of March in 1942. I was then named Commander in Chief west.

Q You stayed as commander in chief west until 2 July, 1944?

A On 2 July, 1944 in the evening I received in a very polite letter my retirement, supposedly because of health reasons. I had just returned the evening before from a discussion at the Fuehrer's headquarters.

Q You were recalled once again later on, were you not, for the Ardennes offensive?

A Not only for the Ardennes offensive, but I was recalled to bring in order again the entire western front, which through the retreat through France, Holland and Belgium was in a chaotic state, even though I was at that time in Bad Toelz.

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Q Until what time did you carry on this last assignment?

A Until March 9, 1945, thank God, I was finally retired permanently.

Q What was the code name of the Ardennes offensive?

A I don't remember. I have known so many code names during my years as commander. I really do not remember -- the Barbarossa - no that was Russia.

Q Did you personally know Field MarshallVon Seckt?

A Von Seckt was never a field marshall but only a Colonel General. I knew him very well from the time he was Major and I was a captain in the General Staff - thatwas in 1907 and I met him repeatedly after that, when he became chief of the army leadership and I met him on duty also. I also was at his home and he was at mine.

Q Did Von Seckt give you his opinions and ideas toward Hitler and National Socialism?

A General Von Seckt, when he was in charge of the Army Command, at the time when the National Socialist party became especially strong in 1923, he tried with all his power to keep the National Socalist tendency out of the army. He acted very strongly against these military officers that participated in the Putsch of 1923. I don't know what his actual opinion was after Hitler's rise to power, but I do believe also at that time he was against him. He was not at that time any more chief of the army command.

Q In other words, to sum it up shortly, the tendency of Von Seckt to the National Socialism was that he was in opposition to it or against it?

A That he was against it might be a little too harsh. He was more or less in opposition and did not approve it.

Q The "Volkische Beobachter" was the official organ of National

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Socialism, was it not?

A The "Volkische Beobachter" or the "Angriff" which means the "Attack". I don't know which one.

Q Have you never heard that it was General Von Seckt whose job it was to provide Hitler with the necessary money in order that he could by the "Volkische Beobachter?"

A I never heard anything concerning it and I cannot imagine it.

Q Did you have a specific reaction at the time when the first SA units were being formed - a personal reaction of your own?

A I did not care anything about the SA just as long as they did not mix themselves or interfere in military matters. I did not sympathize with these marches through the streets by the Brown Shirts.

Q Did you know Roehm?

A I saw him once and that was at the time of a speech made by Adolf Hitler to the higher military leaders and to the higher SA leaders, at which time he asked that there be more cooperation and friendship between these men as there had been some kind of difficulty. After that there was a breakfast by Roehm. I sat at the same table with Roehm and at this breakfast Roehm is supposed to have said to his SA leaders, "Don't mind what the P.F.C. said - we will keep up the old work." That was my only meeting with Roehm.

Q Did you know that he was in active office status with the Reichswehr?

A I know that he was an officer in the Bavarian Reichswehr at the time of the Putsche and was in charge of the attack on the zone command.

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Concerning this, some of the Bavarian officers are probably in a better position to inform you.

Q On what day did it become an order that the party emblem was to be worn on the German military uniform?

A I don't remember the date. It was one of the many times that Blomberg made concessions to the party. I want to state, as I have stated already, there were quite a few things that angered us old officers. For instance, the bird on the breast, the bird on the cap and the Hitler salute instead of the old fashioned hand salute and the different forms of expression. Instead of one speaking to a superior officer in the third person and saying "Has the Colonel Sir?" we were supposed to say, "Have you Colonel, Sir?"

Q That reaction against these party emblems, which you personally had, was that shared by the other high officers of the German staff?

A I don't know about the young officers, but I know the old officers laughed about that bird. I want to add something. In other countries, in other states, they laughed about this bird. For instance, the population would say, "A bird here on the breast, that is the army, good - a bird here on the arm, which means the SS, no good."

Q Do you know why, beginning in 1938 that Hitler dismissed his Minister of War Blomberg and his Commander in Chief of the Army, Von Fritsch?

A This matter is rather a personal affair and since both of these men are dead, I don't like to talk about it, but it is my duty to speak about it here. I would appreciate it if in the press anything that I say here about Blomberg's wife would not be published.

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Blomberg married for the second time a woman about whom the strangest rumors were circulated. He had asked Hitler and Goerring as his best men for the marriage. After the marriage, the SS and Himmler, who was connected with all these intrigues, informed Hitler about all these facts concerning Mrs. Blomberg. Hitler then had a personal discussion with Blomberg, concerning which I would not know anything more, however, after that Blomberg left his post.

Almost on the same day, Colonel General Von Fritsch was accused of violating Paragraph 175 of the Reichs Law Order, concerning which I will not go into any detail further because of the fact that some of the women are here. This was also on proof given to him by the SS. I continue - that was an intrigue of Himmler against Fritsch in order to get rid of him. After the investigation, which I requested from Hitler in order to clear Fritsch and the Army, or to aid Fritsch in the army, it was found that not a single word of the accusation was true. With indignation that Hitler too had accused him of the violation of this code, he laid down his post in February of 1938. Himmler, also in the background, had removed two persons who were not acceptable and whom he did not approve; the Minister of War Blomberg, who according to them was not enough of a National Socalist and protested several times to Hitler that there was too quick armament and also against the occupation of the Rhineland and Colonel General Von Fritsch, a decent old man from a very old family, which did not approve of the National Socialistic actions or National Socialism from the bottom of his heart. Hitler was now solely commander in chief of the armed forces.

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I can describe all of this very closely, because I was asked by Hitler to come to him and I did and we had a discussion while I was a civilian. It was a personal discussion, in which he explained all these facts to me and in his excitement, which might have been pathetic.

Q Do you know if Goering had any connection with the removal of these two officers from their posts, that is Von Blomberg and Von Fritsch?

A I certainly don't think that Goerring had any connection with the removal of these two officers from their posts. Insofar as Blomberg is concerned, I am not sure but I am sure that as far as Fritsch is concerned that Goerring, as chairman of the court, which heard the charges against Fritsch acted and talked in great loyalty for Fritsch and acted for his rehabilitation. If Goerring would have found any interest in the removal of Blomberg, then he could have very easily have been commander in chief of the armed forces himself. I do not think that even though quite a bit of things are said against Goerring now that he would have done such a thing as was done by Himmler.

Q Do you agree with me that after the removal of General Von Blomberg and General Von Fritsch the entire German Army was reorganized and the OKW was formed and General Keitel was put in charge of it?

A I want to explain this a little more explicitely - something which I can do because of the discussion with Hitler. I should say the meeting of Hitler with me, as a civilian, when all these matters were discussed.

First, Hitler took the commandership over of the entire armed forces. Personally he removed first of all, before he reorganized, the entire army command, all these high old officers of whom he did not approve, maybe because of their church connections or for many other reasons and I can give you a few names.

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General Marshall Von Kleist, at that time commanding general of ~~the westwall~~ Breslau. The Commanding General at that time in Wiesbaden, Freiher von Kress. TheCommander in Chief of Army Group 2, Field Marshall Kassel. General Adam at that time commanding general in Munich. Commanding General Von Schwedler of Dresden. No that is a mistake he was chief of the personnel section of the army - a man in charge of all personnel questions, General Von Schwedler, who was removed from this post and sent to the Province. Chief of the General Staff, General Bech. Von Bech was not removed right at that time, but after about two months, due to the so-called memorandum. He was not also removed from his post at that time as he was too important as yet to Hitler.

Hitler possibly did not dare, due to the army, to remove me of my post, even though I told him to his fact that I was a monarchist by idea and that I circulated in monarchistic circles within Germany. That is the second thing I have to say about the removal of all disliked persons from the leadership group.

Now, I have to state concerning the case of Keitel. Keitel had at that time been under Blomberg and almost was commander in chief of the armed forces, which at that time was called the Minister of War. Hitler told me during that discussion or meeting when he said, "I am now Commander in Chief of the Armed Forces and I will have as my ~~xxx~~ aide, General Keitel. General, this is very important what I state and that is also important for General Keitel." I told Hitler at that time in the position as commander in chief of the armed forces, you have to concern yourself with money matters, administrative matters, etc., it is necessary that an experienced person be used for that post. I said, "My Fuehrer, what

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has to be prevented is that Keitel receive any powers or orders,"Since he did not dare at that time to give any orders or go to the Air Corps Goerring, he did not understand anything about the navy and the result would have been that he would have used his entire powers with thearmy, something which we did not want. I suggested to the Fuehrer for that post Colonel General Von Fritsch and said if in the investigation, which I demanded, it is proved that Fritsch is not guilty, as all of us are certain, that he be given the post. He did not say anything after that.

Then came the question as to who should be the commander in chief of the army. The first name was General Von Reichenau. I did not approve of that. Thereupon, he asked me what I thought about General Von Brauchitsch, commanding general in East Prussia. He was one of the officers under me. Yes, I said, he is very good, he is a very decent man and is a good soldier. The army will accept him gladly, while they would be in opposition to the other men. I am sorry that I have to be explicit here, but it seems very important here as I am the only person that knows the entire matter.

Q You, without a doubt, knew a good many conspirators of the 20th of July, 1944 incident, Rommel?

A I am sorry to say that among the sentenced Germans, there were many who were known and close to me both personally and officially. For instance, Field Marshal Von Witzleben, Colonel General Beck, Colonel General Hoeppner and others besides Rommel, who had only been uncertainly connected with the 20th of July incident. Rommel did not belong to those who were sentenced

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directly or accused directly. There were also quite a number of younger participants.

Q Did you know these General Officers very well?

A Partially, very well.

Q They were, of course, men of trust and honorable men, who had a sense of duty and trust?

A Without a doubt, they had the best intentions, but as I have stated the other day, the entire task, the conspiracy, was a crime not against Hitler but against the entire German people due to the conditions prevailing at that time. Without a doubt, they all had patriotic intentions, but on the wrong basis.

Q Did none of these friends of yours say anything to you about the uncertainty?

A No, not as far as the later time was concerned. General ~~XXX Wiedermann~~ Ritter von Leeb was commanding general in Berlin shortly after I became commander in chief and he repeatedly in conversation told me concerning this system and he was concerned about this entire system. Concerning the actual over-throw, I am not speaking, nor about the attack on Hitler, but the attempted overthrow. None of these people dared approach me, as they knew what I, independant of the other side, thought about these matters.

Now, I will come to Rommel. If Rommel was connected with this conspiracy, I cannot say. It was supposed in high official circles, as his death proves, that Rommel was. He was under my command in Normandy and he talked to me of being concerned as to what would happen. Both of us were of the opinion that something had to happen, especially insofar

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as the political situation was concerned. It was for that reason that both of us, during a meeting with Hitler near Soisson in June of 1944, told Hitler quite energetically that something had to be done or otherwise the entire thing would be lost. The invasion was successful and there was no power over which Germany had command that could prevent that. We stated the same opinions during the meeting at Obersalzberg or maybe I should say the Berchtesgaden meeting, which we were called to attend quite suddenly on July 1st. The Fuehrer almost became unfriendly toward Rommel and did not say anything to me. The next day when I returned to my headquarters, I was removed from my post in a very cordial letter due to my very bad physical condition.

Rommel then had a very bad motor accident in Normandy and drove ~~in Berlin~~ against the doctor's orders from Paris to Rome. He was still sick there with his head injury and was there visited by a General of the War Department, sent by Hitler. What I state now, I took from the sworn statement of the son of Rommel before either ~~a~~ French or American authorities.

This officer took Rommel along in a vehicle and told him that he was on the orders of Hitler and said, "Here is the pill, or there is a court in Berlin." Rommel took the pill and died. There was a big state funeral in Rome and Hitler asked me, without knowing the actual circumstances, to represent him during this state funeral.

That is all I have to say concerning this matter.

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Q Do you know if this conspiracy started on its own ~~iniative~~ initiative, or if there was some person behind the scenes?

A Sorry that I cannot say anything concerning that. I believe that all the dissatisfied, slowly but surely connected themselves under the very smart Joerdelen, a civilian. Maybe Himmler was behind all this to remove Hitler, but that possibly is just a ~~matter of speech~~ rumor.

Q No further questions.

CAPTAIN TUBRIDY: We will have a short recess.

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(THE COMMISSION RECONVENED AT 1120 HOURS.)

BY DR. LATERNSER: REDIRECT EXAMINATION.

Q Considering that the prosecution has gone beyond the scope of examination concerning time, as well as material, I shall have to ask a few more questions.

You were first asked about maneuvers and war gains a short or a long time before the outbreak of war. In this connection, the American Prosecutor said that you had designated the Netherlands, Denmark and Cezcho-Slovakia as enemy powers, although there was no reason to do so. Is it not true that during war ~~games~~, games, there are only two ~~conscripts~~ descriptions; namely: enemy and friend?

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A In all such war games as far as operations and tactics are concerned and in military field maneuvers as far down as to a company, there are always two parties, the blue and the red. The Blue represents your own side and the Red represents the enemy. After the war game is over everything is once more returned to normal status. There is no more foe and no more friend and the normal condition is resumed. Perhaps I didn't express myself in correct terms when I used the word "enemy" here and said that apart from the Netherlands and Belgium they were all our enemies.

Q You would then say that the designation "foe" or "enemy" corresponds to usual military terminology?

A Yes, quite. If I asked a commander of the Blue side what enemy intelligence had he received he would tell me what he had learned of the Red.

Q Dr. Kempner further asked you concerning the re-establishment of military sovereignty. Hadn't the Weimar Republic previously made attempts to re-establish such sovereignty?

A I already mentioned that during the Weimar Republic while Streseman was Foreign Minister, repeated attempts were made with the League of Nations to re-establish Germany's military sovereignty. One must consider that in the East, especially as far as the Polish Borders were concerned, these borders were threatened by an attack while in the West the frontier system was quite an orderly one due to the occupying powers. In order to avert any possible sudden attack so-called frontier troops of frontier protection units were drawn up which were to be used in case such an attack took place. These volunteers for the frontier protection squads went through a short military training and the strength of these units was 5 percent of the actual strength of the company.

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The expenses that arose for the upkeep of these troops were paid by the Interior or civil authorities. For example, the Minister of the Interior transmitted a certain sum to the Reichswehr Ministry, the Ministry of Defense. On the whole the system was quite legal even though others might have considered it a violation of the treaty agreements but at any rate these units were never a part of the Reichswehr (German Army) as such.

Q The American Prosecutor asked you detailed questions concerning your giving of oath. Did you give oath to Hitler personally or did you swear to him in his capacity as Head of State?

A According to the wording of the oath that the Prosecutor submitted to me yesterday in order to refresh my memory, the oath ran as follows - "I swear to the Fuehrer of the Reich." Formerly, during the time of the Kaiser, the soldier had sworn to the person of the Kaiser himself, that is, they had sworn to his majesty and not to the Reich or to the Constitution. There is quite a distinction there. During the Weimar Republic, however, the oath was sworn solely to the State and to the Constitution and not to the Head. The presidents, Hindenburg and Ebert, had already sworn to the State as such. When Hitler became head he created a new idea on this oath and the oath had to be sworn to both him and the State at the same time.

Q One of the reasons that you gave for the formulation of this wording of Hitler's was that you thought that after the Roehm Putsch he wanted to have the Wehrmacht (the Army) more closely allied to him. Did you speak about this subject to Hitler personally, or is what you say just an idea of yours?

A That is an idea of mine. Hitler would never have spoken about this topic to one of his army officers because this would show a certain weakness

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on his part. I believe that in the formulation of the oath Hitler meant to state "I am just as good as the Kaiser. I also am the Senior War Lord."

Q Dr. Kempner asked you detailed questions concerning the conference that took place on the 28th of August on Ober Salzburg before the Polish Campaign. I should like to ask you first about the circle of persons concerned. At this conference were only commanders-in-chief present who were given a mission later during the Polish Campaign?

A Yes. All these military plans had to be kept quite secret from all other persons.

Q Could you call this conference a so-called council of war? That is, I mean to say, was, during this conference, the question "whether" as well as the question "how" also discussed?

A As I already said, at this conference only the "How" was discussed. If on the 22nd of August the question as to "Whether", that is should we go to war with Poland or not, had also been discussed it would hardly have been possible to accomplish this enormous, gigantic planning within three days, that is on the 25th of August. In order to add to this statement I should like to say, however, that before or during this conference Hitler gave a short informatory report on the political situation, that is, as to what he thought, and what crimes and offenses Poland had committed against us. He also mentioned the treaty with Russia, things about which we had not been informed before except by the loud propaganda that was carried on in the press and over the radio.

Q Were military plans for the Polish Campaign discussed during this conference? And had these plans been worked out by the group as a whole or had each commander only submitted his plan as far as his own personal mission was concerned?

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A The military plans were not discussed at all and it was not necessary to do so. The plans were only mentioned by reason of an order of Brauchitsch and we commanders of army groups told the Fuehrer there and showed him on maps what our missions consisted of and how we intended to carry them out. The plans themselves had been worked out by the Staff of the Commander-in-Chief of the Army and his assistants. These plans had then been approved by Brauchitsch; he had showed them to Hitler and they were then transmitted to us and we then passed them on to our armies who in their turn handed them down to theirs corps and to their divisions. That is how the plan was worked out and carried out. No group work, as such, was done on it and I, for example, did not know what the Commander of the West, Lave, for instance, had been intrusted with.

Q You were then told by the Prosecution that according to your statements in your opinion the army leaders were only to be considered as sort of army technicians. Did you mean to say when you gave this sort of restricted testimony, that the leaders could have no hand in the "Whether" of the campaign but that they could have a hand in the execution and the scope of the execution of the plan?

A We higher leaders knew no ~~consulate~~ council of war and therefore would not have thought of having a hand in a discussion as to "Whether", all the more as this was a pure political matter. We only demanded that we would have a free hand in the execution of the "How" so that nobody interfered with the order and the execution of the order.

Q You were then asked about the intended invasion of England and you stated that you personally never believed that such an attempt could be successful. Did you express your opinion to other commanders in chief too?

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A I was the only commander-in-chief of an army group at that time who was to carry out the landing. The army leaders subordinate to me or under my command were of the same opinion as I, by reason of the explanations that I gave here yesterday. We all were of the impression that in the final run this was only bluff for if it hadn't been we would never have been urged on to move forward, forward, forward, and Hitler himself never concerned himself about this matter. If I may add to the statements concerning the landing that I made yesterday to the questions of the prosecutor -- in case I succeeded in throwing some divisions across the channel and to England they would have had to be supplied continually and be reinforced, as the invasion army did in 1944, and for such an attempt our Air Force and our Navy was too ~~xxxxx~~ weak. With the enormous strength during the Allied Invasion there was no difficulty at all with the reinforcements and supplies.

Q You were then asked concerning the persons of Halder, ~~Loeb~~ Brauchitsch, and Blaskowitz. The Prosecution submitted an Affidavit No. 1, given by Halder, USA Exhibit 531. In the last paragraph Halder says the following:

DR. KEMPNER: May I raise a technical question on the ~~xxxxxxx~~ document in re-direct examination? I did not introduce this affidavit in my cross-examination.

DR. LATERNSER: This document has become a basis for this interrogation because the Prosecution has submitted it previously in connection with the General Staff.

CAPTAIN TUBRIDY: Is it in English, Dr. Laternser, or just in German?

DR. LATERNSER: I haven't it here in English but the document is on file because it has been used during the trial.

CAPTAIN TUBRIDY: If it has been in evidence you may proceed and we will see ~~what it is.~~

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BY DR. LATERNSER:

Q Halder says in the last paragraph, and I quote:

"The formation of this Group and the mutual relationship towards one another is shown by the enclosed sketch."

I should like to submit this sketch to you and ask you, after you have looked at it, if this presents a correct relationship of the higher offices of the Army.

(Document handed to witness.)

A I beg your pardon if I smile when I look at this sketch. In this sketch Hitler is presented as the Supreme Commander in Chief. Under him there is Keitel and then subordinate to Keitel the Commander-in-Chief of the Army, of the Navy, and of the Air Force, Mr. Goering. I must say that this is ridiculous. Probably Halder never saw this sketch or it could not have been made by him. This sketch was drawn by a dilettante. No mention had ever been made that the Fuehrer had given the high command to Keitel with Goering and Raeder under him. In my opinion Halder means the following with this: Keitel was authorized in the name of the Fuehrer to pass on Fuehrer orders to different parts of the Army, similar to the way in which I was authorized, as Commander of an Army Group, to pass on orders to my armies and which were to be considered as having come from me.

Q That is sufficient. The last sentence of Halder's affidavit reads as follows:

"This was actually the General Staff and the Higher Military Leadership Group of the German Army."

The word "this" refers to the enclosed sketch. I want to ask you is it correct for General Halder to term the high offices actually the General Staff?

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A The terminology is not correct and probably not meant. It would have been better if the unfortunate words "General Staff" had not been used and this group would have been known, as it was in the Weimar Republic, as "Fuehrer Assistants." Then this group would not have become as infamous as it has now become. The General Staff which is strongest numerically is only the circle of assistants to the Chief of the General Staff of the Commander-in-Chief of the Army. Moreover, each Army Group Commander had a small circle of General Staff officers as his assistants and this idea was carried out down to the Division where there then were only one or two such assistants.

Q Then it is misleading if the higher military leaders are united and termed as General Staff and to receive the name General Staff?

A Yes, quite misleading, but all of us had to work for some time within the General Staff in order to learn there and to qualify us for our future commanding positions.

Q I now refer to Affidavit No. 2, given by Brauchitsch on 7 November 1945, USA Exhibit 532. I quote the last paragraph:

"The formation of this Group and mutual relation to one another is shown by the enclosed sketch."

I should like to ask you if this sketch which General Brauchitsch made, is correct?

(Document handed to witness.)

A It has evidently been made by the same person.

Q That means that the sketch is incorrect?

A Incorrect.

Q Do you mean to say that it is quite possible for honorable persons to be mistaken?

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A I don't want you to draw the conclusion that I am terming the testimony of these gentlemen as incorrect. The expression, the terminology, is unfortunate.

Q Now a few questions concerning the Commando Order. You stated in reply to a question by Dr. Kempner that you applied for a complete revocation and cancellation of this Decree.

A Yes, shortly after the invasion such a cancellation was made necessary because otherwise there would have been an impossible confusion of combatants and non-combatants.

Q You further testified that this Decree was sabotaged?

A I do not care to use the term "sabotage" in the future. It sounds unpleasant. It would be better to say the carrying out of the order was avoided.

Q In Document 531-PS, submitted to you, it says, however, that treatment of members of commando groups has been carried out according to the Commando Decree. And on the same date you asked for cancellation of this order. Was it not necessary for you to state in this letter that up to now the Decree had been carried out because you could not very well state that it had been circumvented?

A You refer to the application, do you, and not to the Order?

Q Yes.

A Yes, of course something had to be written. Nothing had happened but this was transmitted. We had to do this for if I had written "The Commando Decree has not been inforced" I should not want to have seen the results.

Q You answered the questions of Dr. Kempner yesterday by stating that it may have been possible for the Decree to have been inforced in one place or the other. I should like to ask you if you know of any one case in your sector where the terms of the Decree were applied?

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A After yesterday's interrogation I had a long discussion with my former Chief of Staff, General Blumentritt, as to whether we had ever received any report to this effect from our army or any other authorities. He would have been in a position to know. I, as Commander-in-Chief, would never have been annoyed with such trifles, I beg your pardon. Neither Blumentritt or myself can remember any case wherein a report to such effect was made to us. In the Sarc incident which was mentioned yesterday I have to say that no prisoners were taken. Members of the commandos simply disappeared. And I do not remember any commando raid after Sarc.

Q The Russian prosecutor, Colonel Pokrovsky, asked you yesterday about an order which was supposed to have been issued during the German Retreat concerning the destruction of houses and stoves. I have here a photostat of this order, R-31, dated 22 January 1942. You testified yesterday that you did not receive the order.

A I do not know the order.

Q When were you recalled?

A On the 1st of December 1941.

Q The Russian prosecutor asked you yesterday if you knew of any facts that would lead you to conclude that the Soviet Union was attempting to launch an attack on Germany and you answered that you knew no such facts. I have a few questions concerning this complex. Were you not told at the Conference in March 1941 or later, after the outbreak of the Russian Campaign, by Hitler, that Russian troop concentrations and assemblies had been carried out to an extraordinarily large extent?

A I have to correct a statement here. As far as I remember I answered this question of the Russian prosecutor by saying that up to the spring of 1941

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I was in France and I did not learn a single word concerning any Russian conditions while the armies that were stationed in the Government General, that is Poland, certainly or probably received all this information. On the other hand the prosecutor is quite xxxxx correct concerning the first Fuehrer Conference that took place in March when the final decision to wage war with Russia was announced to us and he told us in detail what preparations for war had been taken by the Russians. I mentioned a few days ago that many of these reports and much of this information was alleged to have been received by means of the Japanese Military Attache. By reason of the Fuehrer declarations and explanations we on our side had to assume that the Russians had made strong preparations.

Q Were you not also told that this assembly and concentration of troops was learned through reports made by agents and wireless observations?

A It was presented to us as an absolute fact. I do not know by what channels the information was received, whether by wireless or how. If I remember correctly we were even shown a map of the enemy positions.

Q Colonel Pokrovsky towards the end of the examination said that you carried out only such orders with which you agreed. Is it not rather that orders with which you did not agree could only be circumvented. Circumvention was possible, as is true, for example, of the Commissar Decree and the Commando Decree.

A I must say that the modification that has been made here is rather a difficult one but as I told the Russian prosecutor yesterday, any military orders that I received, no matter how hard they were and no matter how much opposed I was to them, were carried out by me with a heavy heart - for example this so-called Rundstedt Offensive. But any orders which had nothing

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to do with military steps, for example the Commando Decree and the Commissar Decree, were circumvented wherever possible and I believe we did so not to the detriment of those who were concerned.

Q Some clarification seems to be needed concerning the Oradour ? incident. First, under whose command was the Second SS Division?

A At the time before the Oradour incident?

Q Yes.

A The Division was under the command of the First SS Armored Corps and was part of the Operational Reserve of the OKW. In this relationship this Division could, without any difficulty, be moved within the Sector of Army Group South without being transferred or moved. In the early morning hours of the day of invasion, that is the 6th of July, the high staff with the OKW asked for the immediate disposal of all troops in the surrounding areas and the Second SS Division belonged in this category. Upon approval of this application this Second SS Division now was under the command of the Commander-in-Chief-West and he could do with the Division as he saw fit. We wanted to draw this Division up into Normandy but in the meantime the resistance movement had become so serious down there that the Division could not and was not allowed to be moved before order had been established there; and thereupon this order of the Commander-in-Chief of the Army of the 7th of June to the Commander of the Army Group South which he in his turn transmitted to his main liaison staff asking for temporary disposal of these troops for his command. The Second SS Division was under the tactical command at that time of the Army Group South and Army Group South gave this Second Division temporarily to the staff of another Division, I don't know what the number was. It is impossible

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for me to know all these details as Commander-in-Chief-West. I ~~xxxx~~ discussed this position with my deputy last night and that is how the position was. Is that sufficient?

Q Yes, I believe that is sufficient.

A I might add that in the same manner a reserve mountain division and a reserve mountain headquarters, which was really under the command of the Commander-in-Chief of the whole army, was placed at the disposal of the Commander-South by us. After the discussion that I had last night with my deputy I may perhaps be allowed to depict the picture of the relationships in the south of France, that is in Petain's part of France. After the forced occupation of the South of France the Military Commander (Paris) was responsible for peace and order in that territory. With due consideration to the sovereignty of the staff of Petain a ~~form~~ formula was found which concerned the existing state of the organization in France. A commander was instituted in Lyon who was supposed to work in close cooperation with the Government of Vichy. This general had so-called liaison staffs with individual prefects who in their turn carried on their administrative work independently, while in the part of France that had been occupied first the power of the prefects was considerably restricted. When, with all respect to the patriotism of the French, this illegal and dangerous resistance movement took on more severe form, this army commander at Lyon had to be placed under the command of the Commander-in-Chief of the Army Group-South for the carrying out of the appeasement actions who alone had the necessary troops at his disposal and was responsible for the entire front. We did this at the Commander-in-Chief West, upon an order that Hitler issued to us in the spring of 1944, while I was on leave, because if we had not taken energetic action Hitler would have instituted a so-called partisan

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general and I need not explain what this would have meant. This is how the conditions were and in this connection I should like to explain again, I can't imagine any power occupying any foreign country, comparing now our occupying powers here in Germany, suffering any werewolf movement behind their lines, especially if this occupying power is engaged in hard battles with a legal foe. I add, however, that when, during these hard battles, violations against humanity do occur, they have to be condemned in the most severe form. In order to spare the civilian population and to prevent any hard measures having to be taken against them, I begged Petain to broadcast a speech on the Radio asking the civilian population to preserve order and quiet in case an invasion did take place. I have nothing to add to this.

Q Was the military commander for France under your command?

A At the beginning of the Invasion the Military Commander France was responsible to me as far as the Hinterland was concerned, for example, in carrying out transportation protection to the Reich and so on, but never as far as administration and police measures were concerned.

Q In order to make this quite clear, you had no official relations at all to the Military Commander France up to the beginning of the invasion?

A We had no official connections. However, if we wished troops, or any protective measures to be taken, we asked him for them and as far as he was able he acceded to our request. As far as the Invasion is concerned, a so-called "Imminent Danger" was pronounced. That was the proof.

Q When did you meet Petain for the first time?

A In the late autumn of 1942, we were ordered to carry out an order in a few hours, at sunstroke, the occupation of remaining France and the disarming of the Frenchmen. I wanted to inform old Marshal Petain personally of this

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measure which was for him a very painful one and far in advance of my troops I drove alone, by car, to Vichy. I told him that I was terribly sorry that by reason of the events in North Africa I had received an order not only to occupy the remaining part of France but also to disarm the French army. I told him that if we did not meet with any resistance our order would be carried out as carefully and with the most soldier-like attitude as possible. Petain was very grateful and said "We old soldiers understand each other. If only soldiers always had to do with one another." That was my first meeting with Petain.

Q Did you negotiate with Petain later and if so, about what?

A I carried on very active negotiations with the old marshal and visited him four or five times afterwards. In order to have close and good connection with Petain, aside from the political delegation in Vichy we had instituted the office of a general with him. With the Fuehrer's approval I tried to accomplish something in the following matters: We gave him a guard, a kind of police guard, in special uniforms, I don't know exactly. I furthermore endeavored to enable him to draw up a new French army according to a plan which General Bridaux had discussed with us. Unfortunately this plan got no further than the composition of an enforced regiment for various reasons and also because of resistance that was met from higher German authorities. I always supported the desires and wishes of the old gentleman, that is that Hitler should finally say what his plans were and what France had to expect. If any complaints were made by him about measures, especially as concerned police measures - for example if Berlin demanded the arrest of a number of old French Generals, I did what I could to help him and remonstrated at this. I was there also given the assistance of the SD, an organization which in this territory behaved very

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decently. I think that is sufficient.

Q You answered to a question that General Seeckt knew about and also tried to keep National Socialism out of the Army. Were his successors, Hall, Hammerstein and Fritsch of the same opinion?

A Hall and Hammerstein and especially Hammerstein. As far as Fritsch' personally was concerned, he too, but one must remember at the time of seizure of power he was in the unfortunate position of having been Commander-in-Chief of the Army under Hindenburg and he had to suffer the new machinations of the National Socialists on interference with the army. Therefore at this time, as it had been under Seeckt, it was no longer possible to punish impulsive Nazi officers. This had, so to say, become a basis for the Army now for the Nazis represented the strongest party in Germany and represented the Government.

Q But Fritsch's attempts also surely were to keep this influence in as small a scope as possible?

A Yes, certainly, that is quite true. Otherwise he would not have been liquidated by the foul means by which he was.

Q Did you know Colonel General Fritsch very well?

A Yes.

Q Did you also know his general attitude towards everything?

A I believe so.

Q The Prosecution, especially Mr. Justice Jackson, has referred to a letter by Fritsch, dated 11 December 1938, which he is supposed to have written to a lady known to him. In it we find the following passage, and I quote:

"A short time after the World War I arrived at the conclusion

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that we would have to win in three battles if Germany was to become powerful once more. First, in the battle against Labor. (Hitler has won this war.) Secondly, against the catholic church, perhaps better said against ultra-~~montanism~~ modernism, and third, against the Jews."

The Prosecution asserts that Fritsch is supposed to have written such a letter to a lady known to him. My question to you now is if you consider it possible, having known Fritsch and his opinions, that he would have written such a letter?

CAPTAIN ~~XXXX~~ TUBRIDY: That question is not ~~admissible~~ permissible. You have ~~to~~ should ask the witness whether he knows or not. - ~~not a guess.~~

Q Do you know that Fritsch wrote such a letter.

A I didn't know his private correspondence. ~~I consider the letter incorrect.~~

CAPTAIN TUBRIDY: Read that answer back.

(Court Reporter reads back the last answer.)

CAPTAIN TUBRIDY: Strike out the witness's answer. The attorney was instructed that the witness could answer only to what he knew. If he knew, he could testify; if he did not know, he could ~~XXX~~ not answer. A new question was asked in which the witness was asked if he knew that such a letter was written. His reply indicates that he does not know. The witness's answer is to be stricken out.

DR. LATERNSER. ~~I considered myself justified in asking~~ such a question because the Prosecution has asked similar questions. I have no further questions now.

CAPTAIN TUBRIDY: The witness may retire.

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(The Commission adjourned at 1300 hours.)

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The foregoing is a true and correct transcript of the testimony of KURT VON RUNDSTEDT, taken on 21 June 1946.

Alice Meehan.
Reporter (pp. 1-12)

Mabel A. Lesser
Reporter (pp. 13-28)

XXXXXXXXX
CERTIFIED TO:

Joseph T. Tubridy
COMMISSIONER

COMMISSIONER

H0969-0031

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4, OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

21 June 1946.

(THE COMMISSION CONVENED AT 1000 HOURS.)

COMMISSIONER :

Capt. Joseph Tubridy.

O. K. W.

FIELD MARSHAL VON RUNDSTEDT, the witness, took the stand and testified as follows :

CROSS EXAMINATION - Resumed.

CAPTAIN TUBRIDY : The witness is reminded that he is still under oath.

WITNESS : Yes.

BY M. QUATRE :

Q Marshall, could you tell us very shortly in what family atmosphere or family circle you have been raised ?

A My family is a very old one, whose background can be traced as far back as eight hundred years. All my ancestors, as far back as my great grandfather, have been soldiers. My father was a retired general and my three brothers and I became recruits and later on became soldiers. We were a poor family and had to right for our existance during the first years of our officership. We were raised in the old Prussian tradition. Those are about the main points.

Q During the eastern campaign in 1942, were you not at one time removed from your command ?

A On December 1, 1941, I was removed from my post upon my request to the Fuehrer, supposedly because he did not have any confidence in my leadership.

Q In other words, you were retired or were removed from your command upon your own wish ?

A At that time I had requested that a certain tactical order, which in my opinion was impossible, would be rescinded. If this would not be done, I suppose I considered that no confidence was expressed in my leadership, therefore, I would like to be retired and another man be given my post. This was at the time that the campaign - the Italian Military Campaign - still looked good for Germany.

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Q How long after that were you recalled ?

A On the 12th or 13th of March in 1942. I was then named Commander in Chief West.

Q You stayed as commander in chief west until 2 July, 1944 ?

A On 2 July, 1944 in the evening I received in a very polite letter my retirement, supposedly because of health reasons. I had just returned the evening before from a discussion at the Fuehrer's headquarters.

Q You were recalled once again later on, were you not, for the Ardenne offensive ?

A Not only for the Ardennes offensive, but I was recalled to bring in order again the entire western front, which through the retreat through Franc Holland and Belgium was in a chaotic state, even though I was at that time in Bad Toelz.

Q Until what time did you carry on this last assignment ?

A Until March 9, 1945, thank God, I was finally retired permanently.

Q What was the code name of the Ardennes offensive ?

A I don't remember. I have known so many codes names during my years as commander. I really do not remember -- the Barbarossa - no that was Russia.

Q Did you personally know Field Marshall Von Seckt ?

A Von Seckt was never a fiels marshall but only a Colonel General. I knew him very well from the time he was Major and I was a captain in the General Staff - that was in 1907 and I met him repeatedly after that, when he became chief of the army leadership and I met him on duty also. I also was his home and he was at mine.

Q Did Von Seckt give you his opinions and ideas toward Hitler and National Socialism ?

A General Von Seckt, when he was in charge of the Army Command, at the time when the National Socialist party became especially strong in 1923, he tried with all his power to keep the National Socialist tendency out of the army. He acted very strongly against these military officers that participat in the Putsch of 1923. I don't know what his actual opinion was after Hitler rise to power, but I do believe also at that time he was against him. He was not at that time any more chief of the army command.

Q In other words, to sum it up shortly, the tendency of Von Seckt to th National Socialism was that he was in opposition to it or against it ?

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A That he was against it might be a little too harsh. He was more or less in opposition and did not approve it.

Q The "Volkische Beobachter" was the official organ of National Socialis was it not ?

A The "Volkische Beobachter" or the "Angriff" which means the "Attack". I don't know which one.

Q Have you never heard that it was General Von Seckt whose job it was t provide Hitler with the necessary money in order that he could buy the "Volkische Beobachter" ?

A I never heard anything concerning it and I cannot imagine it.

Q Did you have a specific reaction at the time when the first SA units were being formed - a personal reaction of your own ?

A I did not care anything about the SA just as long as they did not mix themselves or interfere in military matters. I did not sympathize with these marches through the streets by the Brown Shirts.

Q Did you know Roehm ?

A I saw him once and that was at the time of a speech made by Adolf Hitler to the higher military leaders and to the higher SA leaders, atwchich time he asked that there be more cooperation and friedship between these men as there had been some kind of difficulty. After that there was a breakfast by Roehm. I sat at the same table with Roehm and at this breakfast Roehm is supposed to have said to his SA leaders, "Don't mind what the P,F,C, said - w will keep up the old work". That was my only meeting with Roehm.

Q Did you know that he was in active office status with the Reichswehr

A I know that he was an officer in the Bavarian Reichswehr at the time of the Putsche and was in charge of the attack on the zone command. Concernin this, some of the Bavarian officers are probably in a better position to inform you.

Q On what day did it become an order that the party emblem was to be worn on the German military uniform ?

A I don't remember the date. It was one of the many times that Blomber made concessions to the party. I want to state, as I have stated already, the were quite a few things that angered us old officers, For instance, the bir on the breast, the bird on the cap and the Hitler salute instead of the old fashioned hand salute and the different forms of expression. Instead of one

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speaking to a superior officer in the third person and saying "Has the Colonel Sir ?" we were supposed to say "Have you Colonel, Sir".

Q That reaction against these party emblems, which you personally had, was that shared by the other high officers of the German staff ?

A I don't know about the young officers, but I know the old officers laughed about that bird. I want to add something. In other countries, in other states, they laughed about this bird. For instance, the population would say, "A bird here on the breast, that is the army, good - a bird here on the arm, which means the SS, no good."

Q Do you know why, beginning in 1938 that Hitler dismissed his Minister of War Blomberg and his Commander in Chief of the Army, Von Fritsch ?

A This matter is rather a personal affair and since both of these men are dead, I don't like to talk about it, but it is my duty to speak about it here. I would appreciate it if in the press anything that I say here about Blomberg's wife would not be published

Blomberg married for the second time a woman about whom the strangest rumors were circulated. He had asked Hitler and Goerring as his best men for the marriage. After the marriage, the SS and Himmler, who was connected with all these intrigues, informed Hitler about all these facts concerning Mrs. Blomberg. Hitler then had a personal discussion with Blomberg, concerning which I would not know anything more, however, after that Blomberg left his post.

Almost on the same day, Colonel General Von Fritsch was accused of violating Paragraph 175 of the Reichs Law Order, concerning which I will not go into any detail further because of the fact that some of the women are her This was also on proof given to him the the SS. I continue - that was an intrigue of Himmler against Fritsch in order to get rid of him. After the investigation, which I requested from Hitler in order to clear Fritsch and the Army, or to aid Fritsch in the army, it was found that not a single word of the accusation was true. With indignation that Hitler too had accused him of the violation of this code, he laid down his post in February of 1938. Himmler, also in the background, had removed two persons who were not acceptable and whom he did not approve: The Minister of War Blomberg, who according to them was not enough of a National Socialist and protested several times to Hitler that there was took quick armament and also against the occupation of

the Rhineland and Colonel General Von Fritsch, a decent old man from a very old family, which did not approve of the National Socialistic actions of National Socialism from the bottom of his heart. Hitler was now solely commander in chief of the armed forces.

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I can describe all of this very closely, because I was asked by Hitler to come to him and I did and we had a discussion while I was a civilian. It was a personal discussion, in which he explained all these facts to me and in his excitement, which might have been pathetic.

Q. Do you know if Goering had any connection with the removal of these two officers from their posts, that is Von Blomberg and Von Fritsch ?

A. I certainly don't think that Goering had any connection with the removal of these two officers from their posts. Insofar as Blomberg is concern I am not sure but I am sure that as far as Fritsch is concerned that Goering as chairman of the court, which heard the charges against Fritsch acted and talked in great loyalty for Fritsch and acted for his rehabilitation. If Goering would have found any interest in the removal of Blomberg, then he could have very easily have been commander in chief of the armed forces himself. I do not think that even though quite a bit of things are said against Goering now that he would have done such thing as was done by Himmler.

Q. Do you agree with me that after the removal of General Von Blomberg and General Von Fritsch the entire German Army was reorganized and the OKW was formed and General Keitel was put in charge of it ?

A. I want to explain this a little more explicitely - something which I can do because of the discussion with Hitler. I should say the meeting of Hitler with me, as a civilian, when all these matters were discussed.

First, Hitler took the commandership over of the entire armed forces. Personally he removed first of all, before he reorganized, the entire army command, all these high old officers of whom he did not approve, maybe because of their church connections or for many other reasons and I can give you a few names.

General Marshall Von Kleist, at that time commanding general of Breslau. The Commanding General at that time in Wiesbaden, Freiher von Kress. The Commander-in-Chief of Army Group 2, Field Marshall Kassel. General Adam at that time commanding general in Munich. Commanding General Von Schwedler of Dresden. No that is a mistake he was chief of the personnel section of the army - a man in charge of all personnel questions,

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General Von Schwedler, who was removed from this post and sent to the Province. Chief of the General Staff, General Bech. Von Bech was not removed right at that time, but after about two months, due to the so-called memorandum. He was not also removed from his post at that time as he was too important as yet to Hitler.

Hitler possibly did not dare, due to the army, to remove me of my post, even though I told him to his fact that I was a monarchist by idea and that I circulated in monarchistic circles within Germany. That is the second thing I have to say about the removal of all disliked persons from the leadership group.

Now, I have to state concerning the case of Keitel. Keitel had at the time been under Blomberg and almost was commander in chief of the armed forces, which at that time was called the Minister of War. Hitler told me during that discussion or meeting when he said, "I am now Commander in Chief of the Armed Forces and I will have as my aide, General Keitel. General, this is very important what I state and that is also important for General Keitel." I told Hitler at that time in the position as commander in chief of the armed forces, you have to concern yourself with money matters, administrative matters, etc., it is necessary then an experienced person be used for that post. I said, "My Fuehrer, what has to be prevented is that Keitel receive any powers or orders," since he did not dare at that time to give any orders or go to the Air Corps Goering, he did not understand anything about the navy and the rseult would have been that he would have used his entire powers with the army, something which we did not want. I suggested to the Fuehrer for that post Colonel General Von Fritsch and said if in the investigation, which I demanded, it is proved that Fritsch is not guilty, as all of us are certain, that he be given the post. He did not say anything after that.

Then came the question as to who should be the commander in chief of the army. The first name was General Von Reichenau. I did not approve that. Thereupon, he asked me what I thought about General Von Brauchitsch, commanding general in East Prussia. He was one of the officers under me.

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Yes, I said, he is very good, he is a very decent man and is a good soldier. The army will accept him gladly, while they would be in opposition to the other men. I am sorry that I have to be explicit here, but it seems very important here as I am the only person that knows the entire matter.

Q. You, without a doubt, knew a good many conspirators of the 20th of Jul 1944 incident, Rommel ?

A. I am sorry to say that among the sentenced Germans, there were many wh were known and close to me both personally and officially. For instance, Field Marshal Von Witzleben, Colonel General Beck, Colonel General Hoeppner and others besides Rommel, who had only been uncertainly connected with the 20th of July incident. Rommel did not belong to those who were sentenced directly or accused directly. There were also quite a number of younger participants.

Q. Did you know these General Officers very well ?

A. Partially, very well.

Q. They were, of course, men of trust and honorable men, who had a sense of duty and trust ?

A. Without a doubt, they had the best intentions, but as I have stated t other day the entire task, the conspiracy, was a crime not against Hitler bu against the entire German people due to the conditions prevailing at that time. Without a doubt, they all had patriotic intentions, but on the wrong basis.

Q. Did none of these friends of yours say anythin to you about the uncer tainty ?

A. No, not as far as the later time was concerned. General Ritter Von Leeb was commanding general in Berlin shortly after I became commander in chief and he repeatedly in conversation told me concerning this system and he was concerned about this entire system. Concerning the actual over-thro I am not speaking, nor about the attack on Hitler, but the attempted over-throw. None of these people dared approach me, as they knew what I, indepe dant of the other side, thought about these matters.

Now, I will come to Rommel. If Rommel was connected with this conspi cy, I cannot say.

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It was supposed in high official circles, as his death proves, that Rommel was. He was under my command in Normandy and he talked to me of being concerned as to what would happen. Both of us were of the opinion that something had to happen, especially insofar as the political situation was concerned. It was for that reason that both of us, during a meeting with Hitler near Soisson in June of 1944, told Hitler quite energetically that something had to be done or otherwise the entire thing would be lost. The invasion was successful and there was no power over which Germany had comma that could prevent that. We stated the same opinions during the meeting at Obersalzberg or maybe I should say the Berchtesgaden meeting, which we were called to attend quite suddenly on July 1st. The Fuehrer almost became unfriendly toward Rommel and did not say anything to me. The next day when I returned to my headquarters, I was removed from my post in a very cordial letter due to my very bad physical condition.

Rommel then had a very bad motor accident in Normandy and drove agains the doctor's orders from Paris to Rome. He was still sick there with his head injury and was there visited by a General of the War Department, sent by Hitler. What I state now, I took from the sworn statement of the son of Rommel before either French or American Authorities.

This officer took Rommel alon in a vehicle and told him that he was on the orders of Hitler and said, "Here is the pill, or there is a court in Berlin." Rommel took the pill and died. There was a big state funeral in Ulm (Germany) and Hitler asked me, without knowing the actual circumstances to represent him during this state funeral.

That is all I have to say concerning this matter.

Q. Do you know if this conspiracy started on its own initiative, or if there was some person behind the scenes ?

A. Sorry that I cannot say anything concernin that. I believe that al the dissatisfied, slowly but surely connected themselves under the very sma Joerdelen, a civilian. Maybe Himmler was behind all this to remove Hitler, but that possibly is just a rumor.

Q. No further questions.

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CAPTAIN TUBRIDY: We will have a short recess.

(The Commission reconvened at 1120 hours.)

REDIRECT EXAMINATION

BY DR. LATERNSER:

Q. Considering that the prosecution has gone beyond the scope of examination concerning time, as well as material, I shall have to ask a few more questions.

You were first asked about maneuvers and war gains a short or a long time before the outbreak of war. In this connection, the American Prosecutor said that you had designated the Netherlands, Denmark and Czechoslovakia as enemy powers, although there was no reason to do so. Is it not true that during war games, there are only two descriptions; namely: enemy and friend?

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A In all such war games as far as operations and tactics are concerned and in military field maneuvers as far down as to a company, there are always two parties, the blue and the red. The Blue represents your own side and the Red represents the enemy. After the war game is over everything is once more returned to normal status. There is no more foe and no more friend and the normal condition is resumed. Perhaps I didn't express myself in correct terms when I used the word "enemy" here and said that apart from the Netherlands and Belgium they were all our enemies.

Q You would then say that the designation "foe" or "enemy" corresponds to usual military terminology?

A Yes, quite. If I asked a commander of the Blue side what enemy intelligence he had received he would tell me what he had learned of the Red.

Q Dr. Kempner further asked youconcerning the re-establishment of military sovereignty. Hadn't the Weimar Republic previously made attempts to re-establish such sovereignty?

A I already mentioned that during the Weimar Republic while Stresemann was Foreign Minister, repeated attempts were made with the League of Nations to re-establish Germany's military sovereignty. One must consider that in the East, especially as far as the Polish Borders were concerned, these borders were threatened by an attack while in the West the frontier system was quite an orderly one due to the occupying powers. In order to avert any possible sudden attack so-called frontier troops of frontier protection units were drawn up which were to be used in case such an attack took place. These volunteers for the frontier protection squads went through a short military training and the strength of these units was 5percent of the actual strength of the company. The expense that arose for the upkeep of these troops were paid by the Interior or civil authorities. For example, the Minister of the Interior transmitted a certain sum to the Reichswehr Ministry, the Ministry of Defense. On the whole the system was quite legal even though others might have considered it a violation of the treaty agreements but at any rate these units were never a part of the Reichswehr (German Army) as such.

Q The American Prosecutor asked youdetailed questions concerning your giving of oath. Did you give oath to Hitler personally or did you swear to him in his capacity as Head of State?

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A According to the wording of the oath that the Prosecutor submitted to me yesterday in order to refresh my memory, the oath ran as follows - "I swear to the Fuehrer of the Reich." Formerly, during the time of the Kaiser, the soldier had sworn to the person of the Kaiser himself, that is, they had sworn to his majesty and not to the Reich or to the Constitution. There is quite a distinction there. During the Weimar Republic, however, the oath was sworn solely to the State and to the Constitution and not to the Head. The presidents, Hindenburg and Ebert, had already sworn to the State as such. When Hitler became head he created a new idea on this oath and the oath had to be sworn to both him and the State at the same time.

Q One of the reasons that you gave for the formulation of this wording of Hitler's was that you thought that after the Roehm Putsch he wanted to have the Wehrmacht (the Army) more closely allied to him. Did you speak about this subject to Hitler personally, or is what you say just an idea of yours?

A That is an idea of mine. Hitler would never have spoken about this topic to one of his army officers because this would show a certain weakness on his part. I believe that in the formulation of the oath Hitler meant to state "I am just as good as the Kaiser. I also am theSenior War Lord."

Q Dr. Kempner asked youdetailed questions concerning the conference that took place on the 28th of August on Ober Salzburg before the Polish Campaign. I should like to ask you first about the circle of persons concerned. At this conference were aly commander-in chief present who were given a mission later during the Polish Campaign?

A Yes. All those military plans had to be kept quite secret from all other persons.

Q Could you call this conference a so-called council of war? That is, I mean to say, was, during this conference, the question "whether" as well as the question "how" also discussed?

A As I already said, at this conference only the "how" was discussed. If on the 22nd of August the question as to "whether", that is should we go to war with Poland or not, had also been discussed it would hardly have been possible to accomplish this enormous, gigantic planning within three days,

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that is on the 25th of August. In order to add to this statement I should like to say, however, that before or during this conference Hitler gave a short informatory report on the political situation, that is, as to what he thought, and what crimes and offenses Poland had committed against us. He also mentioned the treaty with Russia, things about which we had not been informed before except by the loud propaganda that was carried on in the press and over the radio.

Q Were military plans for the Polish Campaign discussed during this conference? And had these plans been worked out by the group as a whole or had each commander only submitted his plan as far as his own personal mission was concerned?

A The military plans were not discussed at alland it was not necessary to do so. The plans were only mentioned by reason of an order of Brauchitsch and we commanders of army groups told the Fuehrer there and showed him on maps what our missions consisted of and how we intended to carry them out. The plans themselves had been worked out by the staff of the Commander-in-Chief of the Army and his assistants. These plans had then been approved by Brauchitsch; he had shown them to Hitler and they were then transmitted to us and we then passed them on to our armies who in their turn handed them down to their corps and to their divisions. That is how the plan was worked out and carried out. No group work, as such, was done on it and I, for example, did not know what the Commander of the West, Lave, for instance, had been entrusted with.

Q You were then told by the Prosecution that according to your statements in your opinion the army leaders were only to be considered a sosrt of army technicians. Did you mean to say when you gave this sort of restricted testimony, that the leaders could have no hand in the "Whether" of the campaign but that they could have a hand in the execution and the scope of the execution of the plan?

A We higher leaders knew no council of war and therefore would not have thought of having a hand in a discussion as to "Whether", all the more as this was a pure political matter. We only demanded that we would have a free hand in the execution of the "How" so that nobody interfered with the order and the execution of the order.

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Q You were then asked about the intended invasion of England and you stated that you personally never believed that such an attempt could be successful. Did you express your opinion to other commanders in chief too?

A I was the only commander-in-Chief of an army group at that time who was to carry out the landing. The army leaders subordinate to me or under my command were of the same opinion s I, by reason of the explanations that I gave here yesterday. We all were of the impression that in the final run this was only bluff for if it hand't been we would never have been urged on to move forward, forward, forward, and Hitler himself never concerned himself about this matter. If I may add to the statements concerning the landing that I made yesterday to the questions of the prosecutor -- in case I succeeded in throwing some divisions across the channel and to England they would have had to be supplied continually and be reinforced, as the invasion army did in1944, and for such an attempt our Air Force and our Navy was too weak. With the enormous strength during the Allied Invasion there was no difficulty at all with the reinforcements and supplies.

Q You were then asked concerning the persons of Halder, Brauchitsch and Blaskowitz. The Prosecution submitted an Affidavit No. 1, given by Halder, USA Exhibit 531. In the last paragraph Halder says the following:

DR. KEMPNER: May I raise a technical question on the document in re-direct examination? I did not introduce this affidavit in my cross-examination.

DR. LATERNSER: This document has become a basis for this interrogation because the Prosecution has submitted it previously in connection with the General Staff.

CAPTAIN TUBRIDY: Is it in English, Dr. Laternser, or just in German?

DR. LATERNSER: I haven't it here in English but the document is on file because it has been used during the tridl.

CAPTAIN TUBRIDY: If it has been in evidence you may proceed and we will see.

BY DR. LATERNSER:

Q Halder says in the last paragraph, and I quote:

"The formation of this Group and the mutual relationship towards one another is shown by the enclosed sketch."

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I should like to submit this sketch to you and ask you, after you have looked at it, if this presents a correct relationship of the higher offices of the Army.

(Document handed to witness.)

A I beg your pardon if I smile when I look at this sketch. In this sketch Hitler is represented as the Supreme Commander in Chief. Under him there is Keitel and then subordinate to Keitel the Commander - in-Chief of the Army, of the Navy, and of the Air Force, Mr. Goering. I must say that this is ridiculous. Probably Halder never saw this sketch or it could not have been made by him. This sketch was drawn by a dilettante. No mention had ever been made that the Fuehrer had given the high command to Keitel with Goering and Raeder under him. In my opinion Halder means the following with this: Keitel was authorized in the name of the Fuehrer to pass on Fuehrer orders to different parts of the Army, similar to the way in which I was authorized, as Commander of an Army Group, to pass on orders to my armies and which were to be considered as having come frommo.

Q That is sufficient. The last sentence of Halder's affidavit reads as follows:

"This was actually the General Staff and the Higher Military Leadership Group of the German Army."

The word "this" refers to the enclosed sketch. I want to ask you is it correct for General Halder to term the high offices actually the General Staff?

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A The terminology is not correct and probably not meant. It would have been better if the unfortunate words "General Staff" had not been used and this group would have been known, as it was in the Weimar Republic, as "Fuehrer Assistants." Then this group would not have become as infamous as it has now become. The General Staff which is strongest numerically is only a circle of assistants to the Chief of the General Staff of the Commander-in-Chief of the Army. Moreover, each Army Group Commander had a small circle of General Staff officers as his assistants and this idea was carried out down to the Division where there then were only one or two such assistants.

Q Then it is misleading if the higher military leaders are united and termed as General Staff and to receive the name General Staff?

A Yes, quite misleading, but all of us had to work for some time within the General Staff in order to learn there and to qualify us for our future commanding positions.

Q I now refer to Affidavit No.2, given by Brauchitsch on 7 November, 1945, USA Exhibit 532. I quote the last paragraph:

"The formation of this Group and mutual relation to one another is shown by the enclosed sketch."

I should like to ask you if this sketch which General Breauchitsch made is correct?

(Document handed to witness.)

A It has evidently been made by the same person.

Q That means that the sketch is incorrect?

A Incorrect.

Q Do you mean to say that it is quite possible for honorable persons to be mistaken?

A I don't want you to draw the conclusion that I am terming the testimony of these gentlemen as incorrect. The expression, the terminology, is unfortunate.

Q Now a few questions concerning the Commando Order. You stated in reply to a question by Dr. Kempner that you applied for a complete revocation and cancellation of this Decree.

A Yes, shortly after the invasion such a cancellation was made

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necessary because otherwise there would have been an impossible confusion of combatants and non-combatants.

Q You further testified that this Decree was sabotaged?

A I do not care to use the term "sabotage" in the future. It sounds unpleasant. It would be better to say the carrying out of the order was avoided.

Q In Document 531-PS, submitted to you, it says, however, that treatment of members of commando groups has been carried out according to the Commando Decree. And on the same date you asked for cancellation of this order. Was it not necessary for you to state in this letter that up to now the Decree had been carried out because you could not very well state that it had been circumvented?

A You refer to the application, do you, and not to the Order?

Q Yes.

A Yes, of course, something had to be written. Nothing had happened but this was transmitted. We had to do this for if I had written "The Commando Decree has not been enforced" I should not want to have seen the results.

Q You answered the questions of Dr. Kempner yesterday by stating that it may have been possible for the Decree to have been enforced in one place or the other. I should like to ask you if you know of any one case in your sector where the terms of the Decree were applied?

A After yesterday's interrogation I had a long discussion with my former Chief of Staff, General Blumentritt, as to whether we had ever received any report to this effect from our army or any other authorities. He would have been in a position to know. I, as Commander-in-Chief, would never have been annoyed with such trifles, I beg your pardon. Neither Blumentritt or myself can remember any case wherein a report to such effect was made to us. In the Sarc incident which was mentioned yesterday I have to say that no prisoners were taken. Members of the commandos simply disappeared. And I do not remember any commando raid after Sarc.

Q The Russian prosecutor, Colonel Pokrovsky, asked you yesterday about an order which was supposed to have been issued during the German Retreat concerning the destruction of houses andstoves. I have here a photostat of this order, R-31, dated 22 January 1942. You testified yesterday that you did

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not receive the order.

A I do not know the order.

Q When were you recalled?

A On the 1st of December 1941.

Q The Russian prosecutor asked you yesterday if you knew of any facts that would lead you to conclude that the Soviet Union was attempting to launch an attack on Germany and you answered that you knew no such facts. I have a few questions concerning this complex. Were you not told at the Conference in March 1941 or later, after the outbreak of the Russian Campaign, by Hitler, that Russian troops concentrations and assemblies had been carried out to an extraordinarily large extent?

A I have to correct a statement here. As far as I remember I answered this question of the Russian prosecutor by saying that up to the spring of 1941 I was in France and I did not learn a single word concerning any Russian conditions while the armies that were stationed in the Government General, that is Poland, certainly or probably received all this information. On the other hand the prosecutor is quite correct concerning the first Fuehrer Conference that took place in March when the final decision to wage war with Russia was announced to us and he told us in detail what preparations for war had been taken by the Russians. I mentioned a few days ago that many of these reports and much of this information was alleged to have been received by means of the Japanese Military Attache. By reason of the Fuehrer declarations and explanations we on our side had to assume that the Russians had made strong preparations.

Q Were you not also told that this assembly and concentration of troops was learned through reports made by agents and wireless observations?

A It was presented to us as an absolute fact. I do not know by what channels the information was received, whether by wireless or how. If I remember correctly we were even shown a map of the enemy positions.

Q Colonel Pokrovsky towards the end of the examination said that you carried out only such orders with which you agreed. Is it not rather that orders with which you did not agree could only be circumvented. Circumvention was possible, as is true, for example, of the Commissar Decree and the Commando Decree.

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A I must say that the modification that has been made here is rather a difficult one but as I told the Russian prosecutor yesterday, any military orders that I received, no matter how hard they were and no matter how much I was opposed to them, were carried out by me with a heavy heart -- for example this so-called Rundstedt Offensive. But any orders which had nothing to do with military steps, for example the Commando Decree and the Commissar Decree, were circumvented wherever possible and I believe we did so not to the detriment of those who were concerned.

Q Some clarification seems to be needed concerning the Oradour incident First, under whose command was the Second SS Division?

A At the time before the Oradour incident?

Q Yes.

A The division was under the command of the First SS Armored Corps and was part of the Operational Reserve of the OKW. In this relationship this Division could, without any difficulty, be moved within the Sector of Army Group South without being transferred or moved. In the early morning hours of the day of invasion, that is the 6th of July, the high staff with the OKW asked for the immediate disposal of all troops in the surrounding areas and the Second SS Division belonged in this category. Upon approval of this application this Second SS Division now was under the command of the Commander-in-Chief-West and he could do with the Division as he saw fit. We wanted to draw this Division up into Normandy but in the meantime the resistance movement had become so serious down there that the Division could not and was not allowed to be moved before order had been established there; and thereupon this order of the Commander-im-Chief of the Army of the 7th of June to the Com ander of the Army Group South which he in his turn transmitted to his main liaison staff asking for temporary disposal of these troops for his command. The Second SS Division was under the tactical command at that time of the Army Group South and Army Group South gave this Second Division temporarily to the staff of another Division, I don't know what the number was. It is impossible for me to know all these details as Commander-in-Chief-West. I discussed this position with my deputy last night and that is how the position was. Is that sufficient?

Q Yes, I believe that is sufficient.

A I might add that in the same manner a reserve mountain division and

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a reserve mountain headquarters, which was really under the command of the Commander-in-Chief of the whole army, was placed at the disposal of the Commander South by us. After the discussionthat I had last night with my deputy I may perhaps be allowed to depict the picture of the relationships in the south of France, that is in Petain's part of France. After the forced occupation of the South of France the Military Commander (Paris) was responsible for peace and order in that territory. With due consideration to the sovereignty of the staff of Petain a formula was found which concerned the existing state of the organization in France. A commander was instituted in Lyon who was supposed to work in close cooperation with the Government of Vichy. This general had so-called liaison staffs with individual prefects who in their turn carried on their administrative work independently, while in the part of France that had been occupied first the power of the prefects was considerably restricted. When, with all respect to the patriotism of the French, this illegal and dangerous resistance movement took on more severe form, this army commander at Lyon had to be placed under the command of the Commander-in-Chief of the Army Group-South for the carrying out of the appeasement actions who alone had the necessary troops at his disposal and was responsible for the entire front. We did this at the Comander-in-Chief West, upon an order that Hitler issued to us in the spring of 1944, while I was on leave, because if we had not taken energetic action Hitler would have instituted a so-called partisan

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general and I need not explain what this would have meant. This is how the conditions were and in this connection I should like to explain again, I can't imagine any power occupying any foreign country, comparing now our occupying powers here in Germany, suffering any werewolf movement behind their lines, especially if this occupying power is engaged in hard battles with a legal foe. I add, however, that when, during these hard battles, violations against humani do occur, they have to be condemned in the most severe form. In order to spare the civilian population and to prevent any hard measures having to be taken against them, I begged Petain to broadcast a speech on the radio asking the civilian population to preserve order and quiet in case an invasion did take place. I have nothing to add to this.

Q Was the military commander for France under your command?

A At the beginning of the Invasion the Military Commander France was responsible to me as far as the Hinterland was concerned, for example, in carrying out transportation protection to the Reich and so on, but never as far as administration and police measures were concerned.

Q In order to make this quite clear, you had no official relations at al to the Military Commander France up to the beginning of the invasion?

A We had no official connections. However, if we wished troops, or any protective measures to be taken, we asked him for them and as far as he was able he acceded to our request. As far as the Invasion is concerned, a so-called "Imminent Danger" was pronounced. That was the proof.

Q When did you meet Petain for the first time?

A In the late autumn of 1942, we were ordered to carry out an order in a few hours, at sunstroke, the occupation of remaining France and the disarming of the Frenchmen. I wanted to inform old Marshal Petain personally of this measure which was for him a very painful one and far in advance of my troops I drove alone, by car, to Vichy. I told him that I was terribly sorry that by reason of the events in North Africa I had received an order not only to occupy the remaining part of France but also to disarm the French army. I told him that if we did not meet with any resistance our order would be carried out as carefully and with the most soldier-like attitude as possible. Petain was very grateful and said "We old soldiers understand each other. If only

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soldiers always had to do with one another." That was my first meeting with Petain.

Q Did you negotiate with Petain later and if so, about what?

A I carried on very active negotiations with the old marshal and visited him four or five times afterwards. In order to have close and good connection with Petain, aside from the political delegation in Vichy we had instituted the office of a general with him. With the Fuehrer's approval I tried to accomplish something in the following matters: We gave him a guard, a kind of police guard, in special uniforms, I don't know exactly. I furthermore endeavored to enable him to draw up a new French army according to a plan which General Bridaux had discussed with us. Unfortunately this plan got no further than the composition of an enforced regiment for various reasons and also becaus of resistance that was met from higher German authorities. I always supported the desires and wishes of the old gentleman, that is that Hitler should finally say what his plans were and what France had to expect. If any complaints were made by him about measures, especially as concerned police measures - for example if Berlin demanded the arrest of a number of old French Generals, I did what I could to help him and remonstrated at this. I was there also given the assistance of the SD, an organization which in this territory behaved very decently. I think that is sufficient.

Q You answered to a question that General Seeckt knew about and also tried to keep National Socialism out of the Army. Were his successors, Hall, Hammerstein and Fritsch of the same opinion?

A Hall and Hammerstein and especially Hammerstein. As far as Fritsch personally was concerned, he too, but one must remember at the time of seizure of power he was in the unfortunate position of having been Commander-in-Chief of the Army under Hindenburg and he had to suffer the new machinations of the National Socialists on interference with the army. Therefore at this time, as it had been under Seeckt, it was no longer possible to punish impulsive Nazi officers. This had, so to say, become a basis for the Army now for the Nazis represented the strongest party in Germany and represented the Government.

Q But Fritsch's attempts also surely were to keep this influence in as small a scope as possible?

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A Yes, certainly, that is quite true. Otherwise he would not have been liquidated by the foul means by which he was.

Q Did you know Colonel General Fritsch very well?

A Yes.

Q Did you also know his general attitude towards everything?

A I believe so.

Q The Prosecution, especially Mr. Justice Jackson, hasreferred to a letter by Fritsch, dated 11 December 1938, which he is supposed to have written to a lady known to him. In it we find the following passage, and I quote:

"A short time after the World War I arrived at the conclusion that we would have to win in three battles if Germany was to become powerful once more. First, in the battle against Labor. (Hitler has won this war.) Secondly, against the catholic church, perhaps better said against ultra-modernism, and third. against the Jews."

The Prosecution asserts that Fritsch is supposed to have written such a letter to a lady known to him. My question to you now is if you consider it possible, having known Fritsch and his opinions, that he would have written such a letter?

CAPTAIN TUBRIDY: The question is not permissible. You should ask the witness whether he knows or not.

Q Do you know that Fritsch wrote such a letter.

A I didn't know his private correspondence.

CAPTAIN TUBRIDY: The witnessmay retire.

(The Commission adjourned at 1300 hours.)

The foregoing is a true and correct transcript of the testimony of KURT VON RUNDSTEDT, taken on 21 June 1946.

ALICE MEEHAN
Reporter

MABEL A. LESSER
Reporter

CERTIFIED TO: JOSEPH F. TUBRIDY
Commissioner